

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Frank Hondmann et al.
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Group Art Unit: 3746
Examiner: Bryan Matthew Lettman
Title: VENTILATOR HOUSING

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Pursuant to 37 CFR 1.192, Appellants hereby file an appeal brief in the above-identified application. This Appeal Brief is accompanied by the requisite fee set forth in 37 CFR 1.17(f).

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(1) REAL PARTY IN INTEREST

The real party in interest is BSH Bosch und Siemens Hausgeräte GmbH.

(2) RELATED APPEALS AND INTERFERENCES

There are no appeals or interferences that will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) STATUS OF CLAIMS

Claims 1 - 12 are cancelled. Claims 13 - 31 are pending in the present application and have been finally rejected. The final rejections of claims 13 - 31 are being appealed. Claims 13, 24, and 31 are independent claims.

(4) STATUS OF AMENDMENTS

A final Office Action dated June 10, 2010 finally rejected all of the pending claims 13 - 31 of the present application. An amendment was received on September 10, 2010 in response to the final Office Action dated June 10, 2010. An Advisory Action dated October 6, 2010 responding to the amendment received on September 10, 2010 indicated that all of the pending claims 13 - 31 continue to be finally rejected. A Notice of Appeal was received in the US Patent and Trademark Office on October 8, 2010. The final rejections of claims 13 - 31 are being appealed. No further response has been filed by Appellants.

(5) SUMMARY OF CLAIMED SUBJECT MATTER

Claim 13

Independent claim 13 of the present application recites a ventilator housing 1 for installation in an extraction hood and for accommodating at least one ventilator (Page 6, lines 17 – 20, and Figures 1 – 5). As recited in claim 13 of the present application, the ventilator housing 1 includes a housing front, a housing back and a sidewall arrangement interconnecting the housing front and the housing back to one another at a spacing from one another as viewed in a depth direction (Page 9, lines 11 – 16, and Figures 1 – 5). The ventilator housing 1 forms a channel through which air flows with the ventilator housing having an aperture through which air is drawn into the ventilator housing and another aperture through which air is blown out of the ventilator housing (Page 1, lines 11 – 13, and Figure 1). The ventilator housing 1 recited in claim 13 of the present application also includes at least one seat arrangement 2 (Page 7, lines 25 – 27, and Figures 1 – 5), the seat arrangement 2 not forming a portion of the channel formed by the ventilator housing 1, whereupon air flowing through the channel does not flow in contact with the seat arrangement 2 during its passage through the channel, and the seat arrangement 2 including a plurality of retention devices for detachable retention on an outer peripheral surface of the seat arrangement of a plurality of technical components for operating the ventilator (Page 7, lines 27 – 34, and Figures 1 – 5). The retention devices include a plurality of grooves 5 for inserting the components and a plurality of clip elements for securing the components in the groove 5 (Page 8, lines 15 – 23, and Figures 1 – 5). The grooves 5 receive the components inserted therein such that the components are secured with at least a portion of each of the components extending in the depth direction between the housing front and the housing back outwardly of the sidewall arrangement (Page 10, lines 5 – 15, and Figures 3 and 4).

Claim 24

Independent claim 24 of the present application recites a ventilator 1 housing for installation in an extraction hood, particularly in a flat extraction hood (Page 6, lines 17 –

20, and Figures 1 – 5). The ventilator housing 1 includes at least one of at least one condenser seat arrangement (Page 9, lines 4 - 10, and Figures 1 and 2), at least one control board seat arrangement (Page 8, lines 15 – 23, and Figures 1 – 5), at least one mains connection seat arrangement (Page 10, lines 16 - 29, and Figure 5), or at least one seat arrangement for a printed circuit board formed integrally with the ventilator housing 1 (Page 9, line 23, to Page 10, line 3, and Figures 1 and 2).

Claim 31

Independent claim 31 of the present application recites a ventilator housing 1 for installation in an extraction hood and for accommodating at least one ventilator (col. 6, lines 17 – 20, and Figures 1 – 5). As recited in claim 31 of the present application, the ventilator housing 1 includes a housing front, a housing back and a sidewall arrangement interconnecting the housing front and the housing back to one another at a spacing from one another as viewed in a depth direction (Page 9, lines 11 – 16, and Figures 1 – 5). The ventilator housing 1 recited in claim 31 of the present application also includes at least one seat arrangement 2 (Page 7, lines 25 – 27, and Figures 1 – 5), the seat arrangement 2 not forming a portion of the channel formed by the ventilator housing 1, whereupon air flowing through the channel does not flow in contact with the seat arrangement 2 during its passage through the channel and seat arrangement 2 including a plurality of retention devices for detachable retention on an outer peripheral surface of the seat arrangement of a plurality of technical components for operating the ventilator (Page 7, lines 27 – 34, and Figures 1 – 5). The seat arrangement 2 recited in claim 31 of the present application includes a seat arrangement housing and a cover element 6 that is movable relative to the seat arrangement housing between an open position and a covering position and the seat arrangement 2 includes a mechanism for strain relief 8 of a cable (Page 8, lines 1 - 13, and Figures 1 and 5). As further recited in claim 31 of the present application, the mechanism for strain relief 8 of a cable includes a first part on the seat arrangement housing (Page 8, lines 5 - 6, and Figures 1 and 5) and a second part on the cover element 6 (Page 8, lines 6 -7, and Figures 1 and 5) that cooperate together in the covering position of the cover element 6 to engage a cable extending therebetween to resist withdrawal of the cable out of the seat arrangement

housing with the first part on the seat arrangement housing continuously applying a radially inward force on the cable relative to an axis of the cable and the second part on the cover element continuously applying a radially inward force on the cable in opposition to the radially inward force applied by the first part on the seat arrangement housing such that the opposed radially inward forces applied on the cable by the first part on the seat arrangement housing and the second part on the cover element 6 resist strain on the cable that may result from an axial movement to withdraw the cable from the seat arrangement housing and resist twisting of the cable that may result from an angular rotational movement of the cable about its axis (Page 8, lines 11 - 13, and Figures 1 and 5).

The References

Pettinari EP 0 722 070 is directed to a motor-fan assembly 1 of a household hood (Col. 4, lines 21 - 24, and Figures 1 and 2) and a recess 8 wherein electric componentry 7 to be connected to the hood's outside controls are located, including componentry 7a in the form of a circuit board (Col. 4, lines 25 - 49, and Figures 1 and 2). The household hood includes a front panel 20 (Col. 4, lines 39 - 40, and Figures 1 and 2).

Winkler US Patent Publication No. 2005/0106046 discloses a double fan 20 (Paragraph [0024] and Figures 1 – 3) having a lateral housing part 98 (Paragraph [0029] and Figures 1 – 3). A circuit board 94 with its components 96 is located in the lateral housing part 98 (Paragraph [0029] and Figures 1 – 3). Winkler discloses a miniature fan 62 (Paragraph [0028] and Figures 1 – 3) having an encapsulated structure in the configuration of its lateral housing part 98 in which electric components are located. A flexible conductor 92 extends from the circuit board 94 in the lateral housing part 98 to a circuit board 90 in another compartment of the fan 62 (Paragraphs [0028] and [0029] and Figures 1 – 3).

US Patent No. 6,144,556 to Lanclos is directed to a heat dissipating housing 50 that includes a top 100, a first side panel 102, a second side panel 103, a bottom 200, a

first end panel 300, a second end panel 400, and an axis 500 (Col. 4, lines 21 – 35, and Figures 1 – 3). The first end panel 300 can be secured to a front edge 104 and a front edge 202 to provide a protective cover for an opening 304 in the housing 50 (Col. 6, lines 21 – 23, and Figure 1). First end panel 300 can be installed by inserting screws through pre-punched holes 301 into screw holes 109 and 209 (Col. 6, lines 24 – 27, and Figure 1). Circuit board slots 205 facilitate installation of various circuit boards 115 inside housing 50, these circuit board slots 205 preferably extend from back edge 203 to front edge 202 of bottom 200, and circuit boards 115 are installed within circuit board slots 205 (Col. 5, lines 55 – 60, and Figure 4)

Kudoh US Patent No. 6,354,287 is directed to a blower unit A for a range hood having an electrical wire box 4 and a cover 7 (Col. 4, lines 36 - 54, and Figures 1 - 4). A taking-out port 21 secures a cord W to the electrical wire box 4 (Col. 4, lines 53 - 54, and Figures 1, 10, and 11). The cover 7 includes a housing 17a and a second dividing element 17b that is movable relative to the housing between an open position and a covering position (Col. 5, lines 46 - 52, and Figures 1, 10, and 11). A portion of the second dividing element 17b that forms a U shaped opening engages a flange y' of the supporting member Y that supports an external cord (W1) to resist axial withdrawal of the supporting member Y (Col. 5, line 66, to Col. 6, line 15, and Figures 1, 10, and 11).

Harrington US Patent No. 4,842,227 is directed to a strain relief clamp 10 suitable for protecting power cables, fuel lines, wire harnesses, and the like, which includes first and second identical metallic clamp members 12, 14 (Col. 2, lines 16 – 23, and Figures 1 – 5). Each of the first and second clamp members 12, 14 includes first and second ends and a right angle bend which forms first and second leg portions which respectively extend from the first and second ends to the bend (Col. 2, lines 41 – 57, and Figures 1 – 5). The first leg portions are corrugated to define curved recesses which cooperatively define elongated apertures when the first leg portions are fixed in assembled relation via aligned openings defined by the first leg portions (Col. 1, lines 41 - 49, and Figures 1 – 5). The second leg portions include openings adapted to fix the assembled first and second clamp member 12, 14 to a housing 16 associated with the items to be protected (Col. 2, lines 20 - 23, and Figures 1 – 5).

(6) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

a. Whether claim 24 is unpatentable under 35 U.S.C. §102 (b) as being anticipated by Pettinari EP 0 722 070?

b. Whether claims 13 - 19, 21 - 23, and 25 - 27 are unpatentable under 35 U.S.C. §103(a) over Winkler US Patent Publication No. 2005/0106046 in view of US Patent No. 6,144,556 to Lanclos?

c. Whether claims 20 and 28 are unpatentable under 35 U.S.C. §103(a) over Winkler US Patent Publication No. 2005/0106046 and US Patent No. 6,144,556 to Lanclos as applied to claim 13 and further in view of Kudoh US Patent No. 6,354,287 and Harrington US Patent No. 4,842,227?

d. Whether claim 29 is unpatentable under 35 U.S.C. §103(a) over Pettinari EP 0 722 070 in view of Winkler US Patent Publication No. 2005/0106046 and US Patent No. 6,144,556 to Lanclos?

e. Whether claim 30 is unpatentable under 35 U.S.C. §103(a) over Pettinari EP 0 722 070 in view of Winkler US Patent Publication No. 2005/0106046 and US Patent No. 6,144,556 to Lanclos as applied to claim 29, and further in view of Kudoh US Patent No. 6,354,287 and Harrington US Patent No. 4,842,227?

f. Whether claim 31 is unpatentable under 35 U.S.C. §103(a) over Winkler US Patent Publication No. 2005/0106046, Kudoh US Patent No. 6,354,287, and Harrington US Patent No. 4,842,227?

(7) ARGUMENT

A) The Rejection Of Claim 24 As Being Anticipated Under 35 U.S.C. §102(b) By Pettinari EP 0 722 070 Is Not Proper

In the final Office Action dated June 10, 2010, the Examiner asserts that Pettinari EP 0 722 070 discloses a ventilator housing comprising at least one control board seat arrangement (8 and 7A) with at least one seat arrangement (8 and 7A) for a printed circuit board formed integrally with the ventilator housing.

Appellants respectfully submit that, contrary to the Examiner's assertion, claim 24 of the present application recites a ventilator housing that is neither taught nor disclosed by Pettinari EP 0 722 070. For example, Pettinari EP 0 722 070 does not disclose, as asserted by the Examiner, at least one seat arrangement (8 and 7A) for a printed circuit board formed integrally with the ventilator housing. Instead, the electronic componentry 7a in the form of a circuit board of Pettinari EP 0 722 070 is mounted in a hood front panel 20A, not a "seat arrangement." For these and other reasons, Pettinari EP 0 722 070 does not anticipate under 35 U.S.C. §102(b) the subject matter defined by independent claim 24. It is therefore respectfully requested that the rejection of claim 24 under 35 U.S.C. §102(b) be withdrawn.

- B. The Rejection Of Claims 13 - 19, 21 - 23, And 25 - 27 As Unpatentable Under 35 U.S.C. §103(a) Over Winkler US Patent Publication No. 2005/0106046 In View Of US Patent No. 6,144,556 To Lanclos Is Not Proper

In the final Office Action dated June 10, 2010, the Examiner asserts that Winkler US 2005/0106046 teaches several of the elements of the ventilator housing as recited in independent claim 13 of the present application, in that Winkler discloses a ventilator comprising a seat arrangement 98 with the seat arrangement 98 including a plurality of fixture devices 102 for the detachable fixture of a plurality of technical components 94 and 96 for operating the ventilator. The Examiner notes that Winkler does not teach grooves and clips for securing the seat arrangement. Nonetheless, according to the Examiner, Lanclos '556 teaches a ventilator housing wherein a retention device (200) includes a plurality of grooves for inserting a plurality of technical components and a plurality of clip elements in the form of screws 300 for securing the components in the grooves. According to the Examiner, it would be obvious to one of skill in the art, at the time of the invention, to modify the housing taught by Winkler with the housing taught by

Lanclos '556 in order to properly secure the technical components, thereby preventing them from coming loose inside the housing and impacting against the housing.

Appellants respectfully submit that, in fact, it would not have been obvious to one of skill in the art, at the time of the invention, to modify the housing taught by Winkler with the housing taught by Lanclos '556. Winkler, for example, discloses a miniature fan 62 having an encapsulated structure in the configuration of its lateral housing part 98 in which electric components are located. A flexible conductor 92 extends from a circuit board 94 in the lateral housing part 98 to a circuit board 90 in another compartment of the fan 62. In contrast, Lanclos '556 is directed to a heat dissipating housing 50 for power amplifiers and the like. US Patent No. 6,144,556 to Lanclos is not related to the field of ventilators for a cooking appliance nor is it related to the field of housings or electrical components for such cooking appliance ventilators. Instead, US Patent No. 6,144,556 to Lanclos is directed to a heat dissipating housing for electronic circuits.

The Examiner contends, in the Advisory Action dated October 6, 2010, that: "Applicants discloses a ventilation system, and both Winkler and Lanclos disclose ventilation systems." Thus, according to the Examiner, "a person of ordinary skill in the art would be motivated to combine Winkler and Lanclos to solve a problem common to ventilation systems." However, Appellants submit that the Examiner has incorrectly defined the problem that Appellants seek to solve as a "problem common to ventilation systems." Instead, Appellants seek to solve problems related to the field of mounting an electrical component, or mounting a housing for an electrical component, relative to a ventilator that itself is installed in an extraction hood and, more particularly, problems related to the field of mounting an electrical component, or mounting an electrical component housing, relative to an extraction hood ventilator such that the extraction hood ventilator can be assembled with minimum effort and the space requirements for such electrical components or electrical component housings are minimized. An extraction hood is a device that is deployed in connection with cooking ranges or other appliances that heat foodstuffs and the extraction hood operates to draw hot air, often having entrained matter such as grease or fat, away from the cooking range or appliance. Accordingly, Appellants propose solutions to such problems in the form of, for example, the ventilator housing recited in independent claim 13 of the present application, wherein the inventive ventilator housing is not only configured to mount

technical components outside of the air channel along which air is ventilated away from a cooking range or other appliance but, as well, is configured to minimise the assembly effort for assembling the ventilator housing and to minimise the space required for installing the ventilator housing and the corresponding technical components for operating the ventilator in the ventilator housing.

It is thus clear that a person of ordinary skill in the art would not be provided with any motivation to configure the micro fan arrangement of Winkler US Patent Application Publication No. 2005/0106046 with the heat dissipating housing of US Patent No. 6,144,556 to Lanclos if such a person of ordinary skill in the art was seeking to solve problems related to the field of mounting an electrical component, or mounting a housing for an electrical component, to a ventilator that itself is installed in an extraction hood. Neither Winkler nor Lanclos '556 hint at, let alone disclose, a solution for problems related to the field of mounting an electrical component, or mounting a housing for an electrical component, to a ventilator that itself is installed in an extraction hood. For example, Winkler is directed to a micro-fan such as may be deployed to cool small devices such as processors in computers and provides no teachings concerning the mounting of electrical components of the type deployed for extraction hood ventilators. Turning to Lanclos '556, that reference is directed to a heat dissipating housing for electronic components and, in fact, is not even directed to structures for mounting electrical components at a spacing from an air moving device (such as a ventilator installed in an extraction hood) having its own air flow channel. Instead, the Lanclos '556 housing has its own fan or other air moving device to move air through the housing and the electrical components of the Lanclos '556 arrangement are mounted in the flow path of the fan-propelled air. The Examiner fails to explain why a person of ordinary skill in the art seeking to solve problems related to the field of mounting an electrical component, or mounting a housing for an electrical component, to a ventilator that itself is installed in an extraction hood, would turn to a reference such as Lanclos '556, which is not even directed to a ventilator that draws or pulls air away from another appliance (such as a cooking range) nor directed to a ventilator whose electronic components are externally mounted remote from an air flow channel but, instead, is directed to a housing in which a fan or other air moving device is operated to cool electronic components themselves. Lanclos '556 itself would provide no motivation for

such a person of ordinary skill in the art seeking to solve the problems addressed by the inventive ventilator housing, and Winkler does not make up for this deficiency, as Winkler itself does not hint at solutions for problems related to the field of mounting an electrical component, or mounting a housing for an electrical component, to a ventilator that itself is installed in an extraction hood.

Moreover, even if one of skill in the art would have been motivated, at the time of the invention, to modify the housing taught by Winkler with the housing taught by Lanclos '556, which Appellants submit would not have been the case, a combination of Winkler and Lanclos '556 would still fail to yield the ventilator housing recited in claim 13 of the present application. For example, Lanclos '556 does not teach or disclose, as recited in claim 13, a seat arrangement that is isolated from the channel formed by the ventilator housing such that air flowing through the channel does not flow in contact with the seat arrangement. Instead, Lanclos '556 discloses that the electronic circuits housed in its housing 50 are cooled by forcing cooling air through the housing in a serpentine manner before the cooling air exits the housing. Accordingly, it is submitted that a combination of Winkler and Lanclos '556 would fail to yield the ventilator housing recited in claim 13 of the present application.

The Examiner asserts that Winkler and Lanclos '556 teach all the limitations of claim 13 and, referring to claim 14, the Examiner additionally asserts that Winkler further teaches a housing wherein the seat arrangement 98 is constructed integrally with the ventilator housing 22. However, even in the event that Winkler teaches the above-noted feature, it is submitted that the rejection of this claim, which ultimately depends from claim 13, should be withdrawn in view of the absence of a *prima facie* case of obviousness under 35 U.S.C. §103(a) based upon Winkler and Lanclos '556.

The Examiner asserts that Winkler and Lanclos '556 teach all the limitations of claim 13 and, referring to claim 15, the Examiner additionally asserts that Winkler further teaches a housing wherein the seat arrangement 98 is arranged on the exterior of the ventilator housing 22 (fig. 3). However, even in the event that Winkler teaches the above-noted feature, it is submitted that the rejection of this claim, which ultimately depends from claim 13, should be withdrawn in view of the absence of a *prima facie* case of obviousness under 35 U.S.C. §103(a) based upon Winkler and Lanclos '556.

The Examiner asserts that Winkler and Lanclos '556 teach all the limitations of claim 13 and, referring to claim 16, the Examiner additionally asserts that Winkler further teaches a housing wherein the seat arrangement 98 includes fixing means 102 for securing the technical components 94 and 96. However, even in the event that Winkler teaches the above-noted feature, it is submitted that the rejection of this claim, which ultimately depends from claim 13, should be withdrawn in view of the absence of a *prima facie* case of obviousness under 35 U.S.C. §103(a) based upon Winkler and Lanclos '556.

The Examiner asserts that Winkler and Lanclos '556 teach all the limitations of claim 13 and, referring to claim 17, the Examiner additionally asserts that Winkler further teaches a housing wherein the technical components 94 and 96 are secured in the seat arrangement 89 by positive 102 and non-positive (Fig. 5) locking means. However, even in the event that Winkler teaches the above-noted feature, it is submitted that the rejection of this claim, which ultimately depends from claim 13, should be withdrawn in view of the absence of a *prima facie* case of obviousness under 35 U.S.C. §103(a) based upon Winkler and Lanclos '556.

The Examiner asserts that Winkler and Lanclos '556 teach all the limitations of claim 13 and, referring to claim 18, the Examiner additionally asserts that Winkler further teaches a housing wherein the seat arrangement 98 includes a cover closure element 100 and 142 for closing the seat arrangement 98. However, even in the event that Winkler teaches the above-noted feature, it is submitted that the rejection of this claim, which ultimately depends from claim 13, should be withdrawn in view of the absence of a *prima facie* case of obviousness under 35 U.S.C. §103(a) based upon Winkler and Lanclos '556.

The Examiner asserts that Winkler and Lanclos '556 teach all the limitations of claim 13 and, referring to claim 19, the Examiner additionally asserts that Winkler further teaches a housing wherein the seat arrangement has at least one opening (Fig. 3) to allow a cable 92 to pass therethrough. However, even in the event that Winkler teaches the above-noted feature, it is submitted that the rejection of this claim, which ultimately depends from claim 13, should be withdrawn in view of the absence of a *prima facie* case of obviousness under 35 U.S.C. §103(a) based upon Winkler and Lanclos '556.

The Examiner asserts that Winkler and Lanclos '556 teach all the limitations of claim 13 and, referring to claim 21, the Examiner additionally asserts that Winkler further teaches a housing including at least one of a condenser, a mains connector, a printed circuit board 90 or at least one control board detachably secured to the seat arrangement 98. However, even in the event that Winkler teaches the above-noted feature, it is submitted that the rejection of this claim, which ultimately depends from claim 13, should be withdrawn in view of the absence of a *prima facie* case of obviousness under 35 U.S.C. §103(a) based upon Winkler and Lanclos '556.

The Examiner asserts that Winkler and Lanclos '556 teach all the limitations of claim 13 and, referring to claim 22, the Examiner additionally asserts that Winkler further teaches a housing further comprising a plurality of at least one of channels, guides or retainers (Fig. 3) for securing or passing through electrical wires 92 for connecting the technical components 94 and 96 to each other. However, even in the event that Winkler teaches the above-noted feature, it is submitted that the rejection of this claim, which ultimately depends from claim 13, should be withdrawn in view of the absence of a *prima facie* case of obviousness under 35 U.S.C. §103(a) based upon Winkler and Lanclos '556.

The Examiner asserts that Winkler and Lanclos '556 teach all the limitations of claim 13 but notes that Winkler does not teach the use of the housing in an extraction hood. Nonetheless, referring to claim 23, the Examiner asserts that Lanclos '556 further teaches a housing wherein the ventilator housing (2) is provided for installation in an extraction hood, particularly in the suction channel or suction duct of said extraction hood (page 1, paragraph 1). However, even in the event that Lanclos '556 teaches the above-noted feature, it is submitted that the rejection of this claim, which ultimately depends from claim 13, should be withdrawn in view of the absence of a *prima facie* case of obviousness under 35 U.S.C. §103(a) based upon Winkler and Lanclos '556.

Claims 25 - 27, which depend ultimately from claim 13, recite various features of the ventilator housing relating to lateral grooves into which a circuit board can be inserted as well as the feature that the plurality of clip elements includes a positive locking element operable to resist withdrawal of a circuit board that has been inserted into a respective one of the lateral grooves. The Examiner asserts that Winkler and Lanclos '556 teach all the limitations of claim 13 but notes that Winkler does not teach

the use of the housing in an extraction hood. Nonetheless, referring to claims 25, 26, and 27, the Examiner asserts that Lanclos '556 further teaches a structure for multiple circuit boards if multiple circuit boards are required in a particular application. However, even in the event that Lanclos '556 teaches the above-noted feature, it is submitted that the rejections of claims 25, 26, and 27, each which ultimately depends from claim 13, should be withdrawn in view of the absence of a *prima facie* case of obviousness under 35 U.S.C. §103(a) based upon Winkler and Lanclos '556.

It is therefore respectfully requested that the rejection of claims 13 - 19, 21 - 23, and 25 - 27 as unpatentable under 35 U.S.C. §103(a) over Winkler US Patent Publication No. 2005/0106046 in view of US Patent No. 6,144,556 to Lanclos be withdrawn.

- C. The Rejection Of Claims 20 And 28 As Unpatentable Under 35 U.S.C. §103(a) Over Winkler US Patent Publication No. 2005/0106046 And US Patent No. 6,144,556 To Lanclos As Applied To Claim 13 And Further In View Of Kudoh US Patent No. 6,354,287 And Harrington US Patent No. 4,842,227 Is Not Proper

The Examiner asserts that Winkler US 2005/0106046 and US Patent No. 6,144,556 to Lanclos teach all the limitations of claim 13 but notes that neither Winkler US 2005/0106046 nor US Patent No. 6,144,556 to Lanclos teach the use of a mechanism for strain relief of a cable. Nonetheless, the Examiner asserts that Kudoh US Patent No. 6,354,287 teaches at least one seat arrangement (4, 7) having at least one mechanism (21a) for strain relief of a cable. Continuing further, the Examiner asserts that it would be obvious to one of skill in the art, at the time of the invention, to modify the housing taught by Winkler with the strain relief mechanism taught by Kudoh '287 in order to economically support and seal the cable passing through the wall of the seating arrangement, reducing wear on the cable and technical components, and thereby extending the life of the housing. The Examiner further notes that Kudoh '287 does not teach a mechanism for strain relief of a cable but asserts that Harrington US Patent No. 4,842,227 teaches a mechanism for strain relief of a cable wherein a radially inward force is applied on the cable. In view of this, according to the Examiner, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to

modify the housing taught by Winkler US Patent Publication No. 2005/0106046 with the strain relief mechanism taught by Harrington US Patent No. 4,842,227 in order to reduce strain on the cable, reducing wear on the cable and technical components, and thereby extending their life.

Kudoh '287 discloses a blower unit A for a range hood having an electrical wire box 4 and a cover 7. A taking-out port 21 secures a cord W to the electrical wire box 4.

Harrington '227 discloses a strain relief clamp 10 suitable for protecting power cables, fuel lines, wire harnesses, and the like, which includes first and second identical metallic clamp members 12, 14. Each of the first and second clamp members 12, 14 includes first and second ends and a right angle bend which forms first and second leg portions which respectively extend from the first and second ends to the bend. The first leg portions are corrugated to define curved recesses which cooperatively define elongated apertures when the first leg portions are fixed in assembled relation via aligned openings defined by the first leg portions. The second leg portions include openings adapted to fix the assembled first and second clamp portions to a housing associated with the items to be protected.

Referring again to the assertions of the Examiner concerning the structure disclosed by Harrington US Patent No. 4,842,227 that is allegedly equivalent to Appellants' mechanism for strain relief of a cable, it is noted that the Examiner explains that Harrington US Patent No. 4,842,227 teaches a mechanism for strain relief of a cable that includes a first part on the housing (48,50,52 of Appellants) and a second part (whichever of 48,50,52 corresponds to the first part) on the cover element, with the first part on the housing continuously applying a radially inward force on the cable relative to an axis of the cable and the second part on the cover element continuously applying a radially inward force on the cable in opposition to the radially inward force applied on the cable by the first part on the housing such that a respective radial cross sectional portion of the cable is continuously radially inwardly deflected between the first part and the second part of the housing. Moreover, according to the Examiner, the opposed radially inward forces applied on the cable by the first part on the housing and the second part on the cover element of Appellants resist strain on a portion of the cable to one side of the cover element that may result from an axial movement force applied on another portion of the cable on an opposite side of the cover element, and the

opposed radially inward forces applied on the cable by the first part on the housing and the second part on the cover element resist twisting of the portion of the cable on the one side of the cover element that may result from an angular movement force applied on the another portion of the cable on the opposite side of the cover element (Col. 3, lines 13 – 36 of Appellants).

Turning initially to the rejection of claim 20 as being unpatentable over Winkler and US Patent No. 6,144,556 to Lanclos and further in view of Kudoh US Patent No. 6,354,287 and Appellants under 35 U.S.C. §103(a), Appellants respectfully submit that this rejection should be withdrawn in view of the absence of a *prima facie* case as noted above of the combination of Winkler and US Patent No. 6,144,556 to Lanclos and in view of the failure of Kudoh US Patent No. 6,354,287 and Harrington US Patent No. 4,842,227 to overcome the absence of a *prima facie* case of obviousness under 35 U.S.C. §103(a) based upon the other two applied references. Furthermore, claim 20 depends from claim 13 and recites that at least one of the seat arrangements of the ventilator housing has at least one mechanism for strain relief of a cable. In accordance with the present invention, a cable is held firmly and prevented from twisting in the seat arrangement 2 when the closure element 6 closes the seat arrangement 2. It is submitted that Harrington US Patent No. 4,842,227 does not teach a housing and cover arrangement such as the present invention wherein the closed cover (the closure element 6) cooperates with the housing to firmly grip the cable and that neither Kudoh US Patent No. 6,354,287 nor Harrington US Patent No. 4,842,227 would provide any teaching to one of ordinary skill in the art as to the manner in which the clamp arrangement of Harrington US Patent No. 4,842,227 would be incorporated into the blower unit of Kudoh US Patent No. 6,354,287.

Referring now to claim 28, this claim depends from dependent claim 20 which itself depends from independent claim 13 and claim 28 recites that the seat arrangement includes a housing and a cover element that is movable relative to the housing between an open position and a covering position and the mechanism for strain relief of a cable includes a first part on the housing and a second part on the cover element. As further recited in claim 28 of the present application, the first part on the housing and the second part on the cover element cooperate together in the covering position of the cover element to engage a cable extending therebetween to resist

withdrawal of the cable out of the housing and to resist twisting of the cable. The first part on the housing, as recited in claim 28 of the present application, continuously applies a radially inward force on the cable relative to an axis of the cable and the second part on the cover element continuously applies a radially inward force on the cable in opposition to the radially inward force applied on the cable by the first part on the housing such that a respective radial cross sectional portion of the cable is continuously radially inwardly deflected between the first part and the second part of the housing. By virtue of this arrangement, the opposed radially inward forces applied on the cable by the first part on the housing and the second part on the cover element resist strain on a portion of the cable to one side of the cover element that may result from an axial movement force applied on another portion of the cable on an opposite side of the cover element, and the opposed radially inward forces applied on the cable by the first part on the housing and the second part on the cover element resist twisting of the portion of the cable on the one side of the cover element that may result from an angular movement force applied on the another portion of the cable on the opposite side of the cover element.

Appellants respectfully submit that the rejection of claim 28 as being unpatentable over Winkler US Patent Publication No. 2005/0106046 and US Patent No. 6,144,556 to Lanclos and further in view of Kudoh US Patent No. 6,354,287 and Harrington US Patent No. 4,842,227 under 35 U.S.C. §103(a) should be withdrawn in view of the absence of a *prima facie* case as noted above of the combination of Winkler and Lanclos '556 and in view of the failure of Kudoh US Patent No. 6,354,287 and Harrington US Patent No. 4,842,227 to overcome the absence of a *prima facie* case of obviousness under 35 U.S.C. §103(a) based upon the other two applied references. Furthermore, Appellants also submit that claim 28 of the present application patentably defines over the prior art of record, even if a *prima facie* case of obviousness under 35 U.S.C. §103(a) were to be established based upon the asserted combination of prior art references, which, as noted, Appellants submit has not been established. For example, neither Winkler nor to Lanclos '556 teaches or discloses a mechanism for strain relief of a cable. Additionally, while Kudoh US Patent No. 6,354,287 discloses a cord retaining structure, this cord retaining structure does not comprise the features of the seating arrangement recited in claim 28 of the present application. Kudoh US Patent No.

6,354,287 teaches a seat arrangement (7) that includes a housing (17a) and a second dividing element (17b) (a "cover element") that is movable relative to the housing between an open position and a covering position (shown in Figures 10 and 11). In the cord retaining structure of Kudoh US Patent No. 6,354,287, a portion of the second dividing element 17b that forms a U shaped opening engages a flange y' of the supporting member Y that supports an external cord (W1) to resist axial withdrawal of the supporting member Y. However, this structure does not, in the language of claim 28 of the present application, continuously apply a radially inward force on the cable relative to an axis of the cable along with a second part on the cover element that continuously applies a radially inward force on the cable in opposition to the radially inward force applied on the cable.

Having now shown that none of Winkler, Lanclos '556, nor Kudoh '287 teach or disclose a ventilator housing as recited in independent claim 13 nor teach or disclose a ventilator housing as recited in independent claim 13 with the additional feature as recited in claim 20 that at least one of the seat arrangements of the ventilator housing has at least one mechanism for strain relief of a cable, Appellants now turn to the assertion of the Examiner that Harrington US Patent No. 4,842,227 overcomes the failure of Kudoh to teach a mechanism for strain relief of a cable having the features recited in claim 28 of the present application. As noted, the Examiner explains that Harrington US Patent No. 4,842,227 teaches a mechanism for strain relief of a cable and the Examiner explains the structure and operation of the Harrington '227 arrangement using the language of claim 28 of the present application. Thus, the Examiner explains that Harrington US Patent No. 4,842,227 teaches a mechanism for strain relief of a cable that includes "a first part on [the] housing" (48,50,52 of Harrington '227) and "a second part" (whichever of 48,50,52 corresponds to the first part) "on [the] cover element", whereby the terms in quotes are found in claim 28 of the present application. However, the attempt by the Examiner to overlay the language of claim 28 of the present application on the Harrington '227 arrangement already goes awry in this initial explanation. Claim 28 of the present application recites "a first part on said housing" and "a second part on said cover element", the present application discloses the closure element 6 as an exemplary configuration of a "cover element" and discloses the ventilator housing 1 as an exemplary configuration of a "housing", and the closure

element 6 as a "cover element" is movable between a covering position and an uncovering position (shown in Figure 5 of the present application). In stark contrast, Harrington '227 in no way hints at a clamping arrangement for a cable wherein one of the clamping portions is mounted on a given part that moves relative to another part (on which the other clamping portion is mounted, let alone hinting at a clamping arrangement for a cable wherein one of the clamping portions is mounted to a "cover element" and the other clamping portion is mounted to a "housing." Instead, the Harrington '227 arrangement involves a pair of identical clamp members 12, 14 that together form a strain relief clamp assembly 10 and this strain relief clamp assembly 10 is fixedly mounted to a source housing 16; neither of the clamp members 12, 14 move relative to one another nor does the strain relief clamp assembly 10 move relative to the source housing 16. It is thus clear that a person of ordinary skill in the art would have no reason to turn to Harrington '227 in seeking to solve a problem of clamping a cable between a movable cover element and a housing. Moreover, even if a person of ordinary skill in the art would turn to Harrington '227 in seeking to solve a problem of clamping a cable between a movable cover element and a housing, which Appellants submit would not happen, neither Kudoh nor Harrington '227 provide any guidance as to how a person of ordinary skill in the art would incorporate the arrangement of Harrington '227, which applies a radial clamping force on a cable, into the arrangement of Kudoh, which does not use a radial clamping force on a cable but, instead, uses its housing (17a) and second dividing element (17b) to resist axial withdrawal of the supporting member Y that supports an external cord (W1). Furthermore, even if a person of ordinary skill in the art would attempt to combine Harrington '227 and Kudoh in seeking to solve a problem of clamping a cable between a movable cover element and a housing, which Appellants submit would not happen, the resulting structure would still fail to yield the features of the ventilator housing as recited in claim 28 of the present application. For example, neither Harrington '227 nor Kudoh teach or disclose a clamping arrangement for a cable wherein one of the clamping portions is mounted on a given part that moves relative to another part (on which the other clamping portion is mounted, let alone hinting at a clamping arrangement for a cable wherein one of the clamping portions is mounted to a "cover element" and the other clamping portion is

mounted to a "housing." It is therefore respectfully requested that the rejection of claim 28 under 35 U.S.C. §103(a) be withdrawn.

D. The Rejection Of Claim 29 As Unpatentable Under 35 U.S.C. §103(a) Over Pettinari EP 0 722 070 In View Of Winkler US Patent Publication No. 2005/0106046 And US Patent No. 6,144,556 To Lanclos Is Not Proper

The Examiner asserts that Pettinari EP 0 722 070 teaches all the limitations of claim 24 (from which claim 29 depends) but notes that Pettinari EP 0 722 070 is silent as to how the technical components are secured in the seat arrangement. Nonetheless, according to the Examiner, Winkler teaches a seat arrangement. According to the Office Action, it would be obvious to one of skill in the art, at the time of the invention, to modify the ventilator taught by Pettinari with the seat arrangement taught by Winkler in order to protect the technical components from the damaging air flow.

Claim 29 recites that a respective one of the seat arrangements of the ventilator housing recited in independent claim 24 includes a plurality of retention devices for detachable retention on an outer peripheral surface of the seat arrangement of a plurality of technical components for operating the ventilator. The retention devices include a plurality of grooves for inserting the components and a plurality of clip elements for securing the components in the grooves. The grooves receive the components inserted therein such that the components are secured with at least a portion of each of the components extending in the depth direction between the housing front and the housing back outwardly of the sidewall arrangement.

It is submitted that, in fact, it would not have been obvious to one of skill in the art, at the time of the invention, to modify the ventilator taught by Pettinari with the seat arrangement taught by Winkler US 2005/0106046. A critical step in analyzing the patentability of claims pursuant to 35 U.S.C. §103 is casting the mind back to the time of invention, to consider the thinking of one of ordinary skill in the art, guided only by the prior art references and the then-accepted wisdom in the field. In view of the fact that the prior art, as discussed, fails to provide any hint or motivation for combining Pettinari EP 0 722 070 and Winkler US 2005/0106046, and in view of the fact that Winkler US 2005/0106046 and Pettinari EP 0 722 070 each disclose distinctly different arrangements, it appears that only hindsight reasoning based upon the Applicants' own

disclosure could be the basis for the suggested combination of Pettinari EP 0 722 070 and Winkler US 2005/0106046, and such hindsight reasoning is not permitted.

Likewise, in view of the fact that the prior art, as discussed, fails to provide any hint or motivation for combining Pettinari EP 0 722 070 and Winkler US 2005/0106046, and in view of the fact that Pettinari EP 0 722 070 and Winkler US 2005/0106046 each disclose distinctly different arrangements, it appears that only hindsight reasoning based upon the Applicants' own disclosure could be the basis for the suggested combination of Pettinari EP 0 722 070 and Winkler US 2005/0106046, and such hindsight reasoning is not permitted.

Upon evaluation of the combination of Pettinari EP 0 722 070, Winkler, and Lanclos '556 proposed by the Office Action, then, it is respectfully submitted that a *prima facie* case of obviousness under 35 U.S.C. §103(a) with respect to claim 29 has not been established. It is therefore respectfully requested that the rejection of claim 29 under 35 U.S.C. §103(a) be withdrawn.

- E. The Rejection Of Claim 30 As Unpatentable Under 35 U.S.C. §103(a) Over Pettinari EP 0 722 070 In View Of Winkler US Patent Publication No. 2005/0106046 And US Patent No. 6,144,556 To Lanclos As Applied To Claim 29, And Further In View Of Kudoh US Patent No. 6,354,287 And Harrington US Patent No. 4,842,227 Is Not Proper

The Examiner asserts that Pettinari EP 0 722 070, Winkler US 2005/0106046, and US Patent No. 6,144,556 to Lanclos teach all the limitations of claim 29 (from which claim 30 depends) but notes that Pettinari EP 0 722 070 is silent as to how the technical components are secured in the seat arrangement. Nonetheless, according to the Examiner, Winkler US 2005/0106046 teaches a seat arrangement. The Examiner notes that none of Pettinari EP 0 722 070, Winkler US 2005/0106046, or US Patent No. 6,144,556 to Lanclos teach a mechanism for strain relief of a cable but asserts that Kudoh US Patent No. 6,354,287 teaches at least one seat arrangement (4, 7) having at least one mechanism (21a) for strain relief of a cable. Continuing further, the Examiner asserts that it would be obvious to one of skill in the art, at the time of the invention, to modify the housing taught by Pettinari EP 0 722 070 with the strain relief mechanism taught by Kudoh US Patent No. 6,354,287 in order to economically support and seal the

cable passing through the wall of the seating arrangement, reducing wear on the cable and technical components, and thereby extending the life of the housing. The Examiner further notes that Kudoh does not teach a mechanism for strain relief of a cable but asserts that Harrington US Patent No. 4,842,227 teaches a mechanism for strain relief of a cable wherein a radially inward force is applied on the cable. In view of this, according to the Examiner, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify the housing taught by Pettinari EP 0 722 070 with the strain relief mechanism taught by Harrington US Patent No. 4,842,227 in order to reduce strain on the cable, reducing wear on the cable and technical components, and thereby extending their life.

As noted with respect to the patentability of claim 29 of the present application, from which claim 30 depends, none of Pettinari EP 0 722 070, Winkler US Patent Publication No. 2005/0106046, US Patent No. 6,144,556 to Lanclos, nor Kudoh US Patent No. 6,354,287 teach or disclose a ventilator housing as recited in independent claim 24 nor teach or disclose a ventilator housing as recited in independent claim 13 with the additional features as recited in claim 29. Appellants now turn to the assertion of the Examiner that Harrington US Patent No. 4,842,227 overcomes the failure of Kudoh to teach a mechanism for strain relief of a cable having the features recited in claim 30 of the present application. As noted, the Examiner explains that Harrington US Patent No. 4,842,227 teaches a mechanism for strain relief of a cable and the Examiner explains the structure and operation of the Harrington '227 arrangement using the language of claim 30 of the present application. Thus, the Examiner explains that Harrington US Patent No. 4,842,227 teaches a mechanism for strain relief of a cable that includes "a first part on [the] housing" (48,50,52 of Harrington '227) and "a second part" (whichever of 48,50,52 corresponds to the first part) "on [the] cover element", whereby the terms in quotes are found in claim 30 of the present application. However, the attempt by the Examiner to overlay the language of claim 30 of the present application on the Harrington '227 arrangement already goes awry in this initial explanation. Claim 30 of the present application recites "a first part on said housing" and "a second part on said cover element", the present application discloses the closure element 6 as an exemplary configuration of a "cover element" and discloses the ventilator housing 1 as an exemplary configuration of a "housing", and the closure

element 6 as a "cover element" is movable between a covering position and an uncovering position (shown in Figure 5 of the present application). In stark contrast, Harrington '227 in no way hints at a clamping arrangement for a cable wherein one of the clamping portions is mounted on a given part that moves relative to another part (on which the other clamping portion is mounted, let alone hinting at a clamping arrangement for a cable wherein one of the clamping portions is mounted to a "cover element" and the other clamping portion is mounted to a "housing." Instead, the Harrington '227 arrangement involves a pair of identical clamp members 12, 14 that together form a strain relief clamp assembly 10, and this strain relief clamp assembly 10 is fixedly mounted to a source housing 16; neither of the clamp members 12, 14 move relative to one another nor does the strain relief clamp assembly 10 move relative to the source housing 16. It is thus clear that a person of ordinary skill in the art would have no reason to turn to Harrington '227 in seeking to solve a problem of clamping a cable between a movable cover element and a housing. Moreover, even if a person of ordinary skill in the art would turn to Harrington '227 in seeking to solve a problem of clamping a cable between a movable cover element and a housing, which Appellants submit would not happen, neither Kudoh nor Harrington '227 provide any guidance as to how a person of ordinary skill in the art would incorporate the arrangement of Harrington '227, which applies a radial clamping force on a cable, into the arrangement of kudoh, which does not use a radial clamping force on a cable but, instead, uses its housing (17a) and second dividing element (17b) to resist axial withdrawal of the supporting member Y that supports an external cord (W1). Furthermore, even if a person of ordinary skill in the art would attempt to combine Harrington '227 and Kudoh in seeking to solve a problem of clamping a cable between a movable cover element and a housing, which Appellants submit would not happen, the resulting structure would still fail to yield the features of the ventilator housing as recited in claim 30 of the present application. For example, neither Harrington '227 nor Kudoh teach or disclose a clamping arrangement for a cable wherein one of the clamping portions is mounted on a given part that moves relative to another part (on which the other clamping portion is mounted), let alone hint at a clamping arrangement for a cable wherein one of the clamping portions is mounted to a "cover element" and the other clamping portion is

mounted to a "housing." It is therefore respectfully requested that the rejection of claim 30 under 35 U.S.C. §103(a) be withdrawn.

F. The Rejection Of Claim 31 As Unpatentable Under 35 U.S.C. §103(a) Over Winkler US Patent Publication No. 2005/0106046, Kudoh US Patent No. 6,354,287, And Harrington US Patent No. 4,842,227 Is Not Proper

The Examiner asserts that Winkler US 2005/0106046 teaches a ventilator housing. Also, according to the Examiner, while Winkler US 2005/0106046 does not teach a mechanism for strain relief of a cable, Kudoh US Patent No. 6,354,287 discloses a mechanism for strain relief of a cable and Harrington US Patent No. 4,842,227 discloses a mechanism for relieving strain on a cable via a radial inward force. The Examiner thus asserts that it would be obvious to one of skill in the art, at the time of the invention, to modify the housing taught by Winkler with the mechanism for strain relief of a cable taught by Harrington US Patent No. 4,842,227 in order to reduce wear on the cable and technical components and extend their life.

Independent claim 31 is directed to a further exemplary embodiment and recites a ventilator housing for installation in an extraction hood and for accommodating at least one ventilator. It is submitted that the rejection of claim 31 as being unpatentable over Winkler US 2005/0106046, Kudoh US Patent No. 6,354,287, and Harrington US Patent No. 4,842,227 under 35 U.S.C. §103(a) should be withdrawn in view of the absence of a *prima facie* case of the combination of Winkler US 2005/0106046, Kudoh US Patent No. 6,354,287, and Harrington US Patent No. 4,842,227. It is also submitted that claim 31 of the present application patentably defines over the prior art of record, even if a *prima facie* case of obviousness under 35 U.S.C. §103(a) were to be established based upon the asserted combination of prior art references, which Appellants submit has not been established. For example, while Kudoh US Patent No. 6,354,287 discloses a cord retaining structure, this cord retaining structure does not comprise the features of the seating arrangement recited in claim 31 of the present application. Kudoh US Patent No. 6,354,287 teaches a seat arrangement (7) that includes a housing (17a) and a second dividing element (17b) (a "cover element") that is movable relative to the housing between an open position and a covering position (shown in Figures 10 and 11). In the cord retaining structure of Kudoh US Patent No. 6,354,287, a portion of the

second dividing element 17b that forms a U shaped opening engages a flange y' of the supporting member Y that supports an external cord (W1) to resist axial withdrawal of the supporting member Y. However, this structure does not, in the language of claim 31 of the present application, continuously apply a radially inward force on the cable relative to an axis of the cable along with a second part on the cover element that continuously applies a radially inward force on the cable in opposition to the radially inward force applied on the cable. Lastly, Harrington US Patent No. 4,842,227 227 does not teach a housing and cover arrangement such as recited in claim 31 wherein the first part on a housing and the second part on a cover element cooperate together in the covering position of the cover element to engage a cable extending therebetween to resist withdrawal of the cable out of the housing and to resist twisting of the cable. cooperates with the housing to firmly grip the cable. Instead, Harrington US Patent No. 4,842,227 227 merely discloses a strain relief clamp comprised on two metallic clamp members 12, 14, neither of which is a cover or is comprised in a cover.

Having now shown that neither Winkler US Patent Application No. 2005/0106046 nor Kudoh US Patent No. 6,354,287 teach or disclose a ventilator housing as recited in independent claim 31, Appellants now turn to the assertion of the Examiner that Harrington US Patent No. 4,842,227 227 overcomes the failure of Kudoh to teach a mechanism for strain relief of a cable having the features recited in claim 31 of the present application. As noted, the Examiner explains that Harrington US Patent No. 4,842,227 teaches a mechanism for strain relief of a cable, and the Examiner explains the structure and operation of the Harrington '227 arrangement using the language of claim 31 of the present application. Thus, the Examiner explains that Harrington US Patent No. 4,842,227 teaches a mechanism for strain relief of a cable that includes "a first part on [the] housing" (48, 50, 52 of Harrington '227) and "a second part" (whichever of 48,50,52 corresponds to the first part) "on [the] cover element", whereby the terms in quotes are found in claim 31 of the present application. However, the attempt by the Examiner to overlay the language of claim 31 of the present application on the Harrington '227 arrangement already goes awry in this initial explanation. Claim 31 of the present application recites "a first part on said housing" and "a second part on said cover element", the present application discloses the closure element 6 as an exemplary configuration of a "cover element" and discloses the ventilator housing 1 as

an exemplary configuration of a "housing", and the closure element 6 as a "cover element" is movable between a covering position and an uncovering position (shown in Figure 5 of the present application). In stark contrast, Harrington '227 in no way hints at a clamping arrangement for a cable wherein one of the clamping portions is mounted on a given part that moves relative to another part (on which the other clamping portion is mounted, let alone hinting at a clamping arrangement for a cable wherein one of the clamping portions is mounted to a "cover element" and the other clamping portion is mounted to a "housing." Instead, the Harrington '227 arrangement involves a pair of identical clamp members 12, 14 that together form a strain relief clamp assembly 10, and this strain relief clamp assembly 10 is fixedly mounted to a source housing 16; neither of the clamp members 12, 14 move relative to one another nor does the strain relief clamp assembly 10 move relative to the source housing 16. It is thus clear that a person of ordinary skill in the art would have no reason to turn to Harrington '227 in seeking to solve a problem of clamping a cable between a movable cover element and a housing. Moreover, even if a person of ordinary skill in the art would turn to Harrington '227 in seeking to solve a problem of clamping a cable between a movable cover element and a housing, which Appellants submit would not happen, neither Kudoh nor Harrington '227 provide any guidance as to how a person of ordinary skill in the art would incorporate the arrangement of Harrington '227, which applies a radial clamping force on a cable, into the arrangement of kudoh, which does not use a radial clamping force on a cable but, instead, uses its housing (17a) and second dividing element (17b) to resist axial withdrawal of the supporting member Y that supports an external cord (W1). Furthermore, even if a person of ordinary skill in the art would attempt to combine Harrington '227 and Kudoh in seeking to solve a problem of clamping a cable between a movable cover element and a housing, which Appellants submit would not happen, the resulting structure would still fail to yield the features of the ventilator housing as recited in claim 31 of the present application. For example, neither Harrington '227 nor Kudoh teach or disclose a clamping arrangement for a cable wherein one of the clamping portions is mounted on a given part that moves relative to another part (on which the other clamping portion is mounted, let alone hint at a clamping arrangement for a cable wherein one of the clamping portions is mounted to a "cover element" and the other clamping portion is mounted to a "housing."

It is therefore respectfully requested that the rejection of claim 31 under 35 U.S.C. §103(a) be withdrawn.

(8) CONCLUSION

In view of the foregoing discussion, Appellants respectfully request reversal of the Examiner's rejection.

Respectfully submitted,

/James E. Howard/

James E. Howard
Registration No. 39,715
December 3, 2010

BSH Home Appliances Corporation
100 Bosch Blvd.
New Bern, NC 28562
Phone: 252-639-7644
Fax: 714-845-2807
james.howard@bshg.com

CLAIMS APPENDIX

1 - 12. (Canceled)

13. (Finally Rejected) A ventilator housing for installation in an extraction hood and for accommodating at least one ventilator, comprising:

a housing front;

a housing back;

a sidewall arrangement interconnecting said housing front and said housing back to one another at a spacing from one another as viewed in a depth direction, the ventilator housing forming a channel through which air flows with the ventilator housing having an aperture through which air is drawn into the ventilator housing and another aperture through which air is blown out of the ventilator housing;

at least one seat arrangement, said seat arrangement not forming a portion of the channel formed by the ventilator housing, whereupon air flowing through the channel does not flow in contact with said seat arrangement during its passage through the channel;

said seat arrangement including a plurality of retention devices for detachable retention on an outer peripheral surface of said seat arrangement of a plurality of technical components for operating the ventilator;

said retention devices include a plurality of grooves for inserting said components and a plurality of clip elements for securing said components in said grooves, said grooves receiving said components inserted therein such that said components are secured with at least a portion of each of said components extending in the depth direction between said housing front and said housing back outwardly of said sidewall arrangement.

14. (Finally Rejected)The ventilator housing according to claim 13, including said seat arrangement is constructed integrally with the ventilator housing.

15. (Finally Rejected)The ventilator housing according to claim 13, including said seat arrangement is arranged on the exterior of the ventilator housing.

16. (Finally Rejected)The ventilator housing according to claim 13, including said seat arrangement includes fixing means for securing said technical components.

17. (Finally Rejected)The ventilator housing according to claim 13, including said technical components are secured in said seat arrangement by positive and non-positive locking means.

18. (Finally Rejected)The ventilator housing according to claim 13, including at least one of said seat arrangements include a cover closure element for closing said seat arrangement.

19. (Finally Rejected)The ventilator housing according to claim 13, including at least one of said seat arrangements has at least one opening to allow a cable to pass therethrough.

20. (Finally Rejected)The ventilator housing according to claim 13, including at least one of said seat arrangements has at least one mechanism for strain relief of a cable.

21. (Finally Rejected) The ventilator housing according to claim 13, including at least one of a condenser, a mains connector, a printed circuit board or at least one control board detachably secured to said seat arrangement.

22. (Finally Rejected)The ventilator housing according to claim 13, including the ventilator housing is furnished with a plurality of at least one of channels, guides or retainers for securing or passing through electrical wires for connecting said technical components to each other.

23. (Finally Rejected)The ventilator housing according to claim 13, including the ventilator housing is provided for installation in an extraction hood, particularly in the suction channel or suction duct of said extraction hood.

24. (Finally Rejected) A ventilator housing for installation in an extraction hood, particularly in a flat extraction hood, comprising:

at least one of at least one condenser seat arrangement, at least one control board seat arrangement, at least one mains connection seat arrangement or at least one seat arrangement for a printed circuit board is formed integrally with the ventilator housing.

25. (Finally Rejected) The ventilator housing according to claim 13, wherein said plurality of grooves includes a first groove for insertion therein of a portion of a first circuit board and a second groove for insertion therein of a portion of a second circuit board.

26. (Finally Rejected) The ventilator housing according to claim 25, wherein said seat arrangement includes a first lateral wall, a second lateral wall in opposition to said first lateral wall, and an open face delimited between said first and second lateral walls, each of said first and second lateral grooves is located at a respective one of said first and second lateral walls and has an open end at said open face, whereupon a respective circuit board can be inserted through said open face into a respective one of said first and second lateral grooves.

27. (Finally Rejected) The ventilator housing according to claim 26, wherein said plurality of clip elements includes a positive locking element operable to resist withdrawal of a circuit board that has been inserted into a respective one of said first and second lateral grooves.

28. (Finally Rejected) The ventilator housing according to claim 20, wherein said seat arrangement includes a housing and a cover element that is movable relative to said housing between an open position and a covering position and said mechanism for strain relief of a cable includes a first part on said housing and a second part on said cover element that cooperate together in the covering position of said cover element to engage a cable extending therebetween to resist withdrawal of the cable out of said

housing and to resist twisting of said cable with the first part on said housing continuously applying a radially inward force on the cable relative to an axis of the cable and the second part on said cover element continuously applying a radially inward force on the cable in opposition to the radially inward force applied on the cable by the first part on said housing such that a respective radial cross sectional portion of the cable is continuously radially inwardly deflected between the first part and the second part of said housing, the opposed radially inward forces applied on the cable by the first part on said housing and the second part on said cover element resisting strain on a portion of the cable to one side of said cover element that may result from an axial movement force applied on another portion of the cable on an opposite side of said cover element, and the opposed radially inward forces applied on the cable by the first part on said housing and the second part on said cover element resisting twisting of the portion of the cable on the one side of said cover element that may result from an angular movement force applied on the another portion of the cable on the opposite side of said cover element.

29. (Finally Rejected) The ventilator housing according to claim 24 including a housing front, a housing back and a sidewall arrangement interconnecting said housing front and said housing back to one another at a spacing from one another as viewed in a depth direction, the ventilator housing forming a channel through which air flows with the ventilator housing having an aperture through which air is drawn into the ventilator housing and another aperture through which air is blown out of the ventilator housing, and wherein a respective one of the seat arrangements includes a plurality of retention devices for detachable retention on an outer peripheral surface of said respective one seat arrangement of a plurality of technical components for operating the ventilator, said retention devices include a plurality of grooves for inserting said components and a plurality of clip elements for securing said components in said grooves, said grooves receiving said components inserted therein such that said components are secured with at least a portion of each of said components extending in the depth direction between said housing front and said housing back outwardly of said sidewall arrangement said plurality of grooves includes a first lateral groove for insertion thereinto of a portion of a first circuit board and a second lateral groove for insertion thereinto of a portion of a

second circuit board, said seat arrangement includes a first lateral wall, a second lateral wall in opposition to said first lateral wall, and an open face delimited between said first and second lateral walls, each of said first and second lateral grooves is located at a respective one of said first and second lateral walls and has an open end at said open face, whereupon a respective circuit board can be inserted through said open face into a respective given one of said first and second lateral grooves, said plurality of clip elements includes a positive locking element operable to resist withdrawal of a circuit board that has been inserted into a respective one of said first and second lateral grooves.

30. (Finally Rejected) The ventilator housing according to claim 29, wherein another one of the seat arrangements includes a plurality of retention devices for detachable retention on an outer peripheral surface of said seat arrangement of a plurality of technical components for operating the ventilator, a seat arrangement housing, and a cover element that is movable relative to said seat arrangement housing between an open position and a covering position, and said another seat arrangement includes a mechanism for strain relief of a cable, said mechanism for strain relief of a cable including a first part on said seat arrangement housing and a second part on said cover element that cooperate together in the covering position of said cover element to engage a cable extending therebetween to resist withdrawal of the cable out of said seat arrangement housing with the first part on said seat arrangement housing continuously applying a radially inward force on the cable relative to an axis of the cable and the second part on said cover element continuously applying a radially inward force on the cable in opposition to the radially inward force applied by the first part on said seat arrangement housing such that the opposed radially inward forces applied on the cable by the first part on said seat arrangement housing and the second part on said cover element resist strain on the cable that may result from an axial movement to withdraw the cable from said seat arrangement housing and resist twisting of the cable that may result from an angular rotational movement of the cable about its axis.

31. (Finally Rejected) A ventilator housing for installation in an extraction hood and for accommodating at least one ventilator, comprising:

a housing front;

a housing back;

a sidewall arrangement interconnecting said housing front and said housing back to one another at a spacing from one another as viewed in a depth direction, the ventilator housing forming a channel through which air flows with the ventilator housing having an aperture through which air is drawn into the ventilator housing and another aperture through which air is blown out of the ventilator housing; and

at least one seat arrangement, said seat arrangement including a plurality of retention devices for detachable retention on an outer peripheral surface of said seat arrangement of a plurality of technical components for operating the ventilator, said seat arrangement includes a seat arrangement housing and a cover element that is movable relative to said seat arrangement housing between an open position and a covering position and said seat arrangement includes a mechanism for strain relief of a cable, said mechanism for strain relief of a cable including a first part on said seat arrangement housing and a second part on said cover element that cooperate together in the covering position of said cover element to engage a cable extending therebetween to resist withdrawal of the cable out of said seat arrangement housing with the first part on said seat arrangement housing continuously applying a radially inward force on the cable relative to an axis of the cable and the second part on said cover element continuously applying a radially inward force on the cable in opposition to the radially inward force applied by the first part on said seat arrangement housing such that the opposed radially inward forces applied on the cable by the first part on said seat arrangement housing and the second part on said cover element resist strain on the cable that may result from an axial movement to withdraw the cable from said seat arrangement housing and resist twisting of the cable that may result from an angular rotational movement of the cable about its axis.

EVIDENCE APPENDIX

None

RELATED PROCEEDINGS APPENDIX

None